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VIA EMAIL TO: [MLPAComments@resources.ca.gov](mailto:MLPAComments@resources.ca.gov)

Marine Life Protection Act Initiative  
c/o California Natural Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

Re: Comments on MPA Process with Specific Suggested Alternative Proposals & Statements in Support

Dear Blue Ribbon Task Force Members and MLPA Initiative Staff:

I write to you as a Southern California native and someone who treasures our wonderful ocean. Throughout my forty-four years, I have enjoyed recreational fishing, diving (including scuba diving, freediving, spearfishing, scallop and lobster and abalone diving), all types of boating and sailing and beach going, as well as hiking and camping along our coast and islands.

- Stakeholder Participation: Not Always Inclusive

I recognize the inherent challenges of the MPA process and appreciate the extensive efforts to incorporate stakeholder participation. The BRTF, the SAT and the MLPA-I Team are to be commended for their efforts.

Regrettably, some stakeholder group organizations sought to polarize the issues and assert extremist positions, complete with hostility and intimidation toward those who held different views and were more supportive of collaborative contributions.

Unfortunately, this extremism divided some stakeholder groups and alienated scores of responsible stakeholders who did not to see the MPA issues as black and white, but rather understood (and appreciated) that, in a process as complex as MPAs there are a great many shades of gray.

- Need for Action: MPAs and Improved Water Quality

With a keen awareness of the potential impact of shifting baselines on individual perception, it is difficult for many people to acknowledge declines when they have not witnessed historical baselines.

Speaking from personal experience of over four decades, I have observed first-hand, tremendous declines in the health of our coastal waters. Study of historical records and scientific assessments have only strengthened a recognized need for efforts

to deploy appropriate safeguards for the future. At present, MPAs and improved water quality appear to be the best available solutions.

- **Comments on Specific MPA Boundaries in Santa Barbara Area**

Rather than express support for a single set of MPAs among Proposals 1, 2, and 3, I must express disappointment over the lack of any real variety of among the these Proposals when considering the Santa Barbara coast.

The “MLPA Master Plan for MPAs” (Jan. 2008 ed.) directs “*the RSG and the SAT to prepare a range of alternative proposals including a variety of MPAs within the region. Each proposal is intended to achieve the goals and objectives of the MLPA and is based on the design considerations developed for the region.*”

From the beginning of the Southern Region MPA process through this Round 3 set of proposals, the coastal section encompassing Devereux and Coal Oil Point has consistently been considered an area for closure. For the Santa Barbara diving community, the proposals did not present “*a range of alternative proposals including a variety of MPAs.*” Instead, the proposals presented an insightful lesson in politicization and the tactics that accompany it.

As the MPA process moved forward, some groups sought to employ rhetoric and political theatre to advance their cause. Meanwhile, the diving community of Santa Barbara sought to participate in a more collaborative and less adversarial MPA process.

Santa Barbara divers conducted community outreach and sought dialog with diverse stakeholder interest groups in efforts to develop appropriate MPAs that could enjoy broad support.

Yet, when map arrays were produced from Round 1, then Round 2, and most recently Round 3, Santa Barbara diving community members got the impression that they were being punished for not adopting the more extreme approaches that appeared to have worked well in other key areas.

Despite seeking to maintain traditional and respected community use for an activity (recreational spearfishing) that affords a high Level of Protection (LOP), the proposed maps agreed on one thing and one thing only. Round after round, the proposed maps were virtually identical with regard to closing the area encompassing Coal Oil Point to Campus Point. The community that knew and valued Devereux would forever be changed.

- **Social Impact Assessments & Fishing Communities**

Social Impact Assessments (SIAs) are a significant component of any MPA process. Social scientists acknowledge the challenge in defining “fishing communities” for purposes of conducting a SIA. In conducting SIA research regarding consumptive spearfishing, it is important to address how stakeholders access and use the resources.

One challenge frequently arises – that of defining the components and practices that identify the communities of interest. In Santa Barbara County and, more particularly, the UCSB and Isla Vista area, recreational consumptive spearfishing has a long and respected history. It is an activity that is ingrained in, and supported by, the community.

Perhaps the best example of this “virtual” community can be seen at a site known as Devereux. Located between Coal Oil Point and Campus Point, it has long served as a conveniently accessible dive spot for freedive spearfishing.

Devereux will never be confused with world class diving or spearfishing. The visibility is frequently poor and rarely exceptional. Despite these facts, Devereux holds a special place for the coastal community and the Santa Barbara diving community. Many divers learn to dive at Devereux.

Devereux provides the community with convenient local access. While visibility is not great, it is usually better than the alternative of not diving. It is not a large dive site, and is limited by natural factors of reef structure and prevailing visibility.

The divers that frequent Devereux are in large part, local. The presence of a nearby MPA is unlikely to result in an increase in effort. No one drives up or down the coast to dive Devereux, and in all likelihood, they never will. It is not an exceptional dive site. It is a *convenient* dive site.

Divers often use Devereux and the selective, sustainable traits of responsible spearfishing to undertake a subsistence hunt. Of those dives when they do take fish, it is one or two fish to provide a meal for themselves and their family.

Generations of skindiver (now freediver) spearfishers have enjoyed the access and opportunities that Devereux affords. Within bicycling and walking distance of the Isla Vista community, it provides valued beach access to a dive location that is protected from dangerous strong currents and boat traffic.

Recognizing how these stakeholders access and utilize the resources and access at Devereux is essential to appreciating the significance of this site to the community and its recreational users. Devereux’ long history, the subsistence use by spearfishers, and the community’s support for continued access should be properly addressed.

- *Taking A Community Pulse*

I have heard from and spoken with divers and community members on many occasions; at Santa Barbara Freedivers Club meetings; at MPA fundraising events (Watermans’ Alliance & Partnership for Sustainable Oceans); at MPA meetings (RSG, SAT, and BRTF) and communications including personal, professional and online (SpearBoard.com and other online forums).

Through these opportunities, I have heard the voices of countless individuals who support the tradition, the recreational spearfishing opportunities afforded by spearfishing at Devereux.

These voices form a “community of interest” that respects recreational spearfishing and holds high regard for the individual stewardship it develops within its participants. Parents often express deep appreciation for their son or daughter’s involvement in diving and spearfishing. They recognize and value Devereux for its proximity and opportunity. Many divers express their gratitude for Devereux and the beneficial influence that it has had in their lives.

These factors translate into a set of individual values and community support that should be encouraged and allowed to continue.

- **Specific Suggested Alternative Proposals**

If at all possible, recreational spearfishing in general should receive recognition for its high Level Of Protection (LOP) through a slight modification of the proposal to be chosen by the Blue Ribbon Task Force.

1. *If the BRTF decides that a closure along the Naples area is necessary, (e.g., Naples SMCA – Group 1, or Naples SMR – Group 3) then any such closure should consist of an SMCA which provides for Allowed Uses including recreational spearfishing for coastal pelagics.*
2. *If the BRTF decides that a closure at the Campus Point area is necessary, (e.g., either Helo – Group 1, Campus Point – Group 2, or UCSB – Group 3) then any such closure should consist of an SMCA which provides for Allowed Uses including recreational spearfishing for all fin-fish.*

- **Statements in Support**

- ✓ The modest modifications suggested *above* would be consistent with the SAT’s recognition of recreational spearfishing’s high LOP and would maintain the high level of protection afforded by the contemplated MPAs.
- ✓ The proposed changes would be consistent with advancing the goals and objectives of the MLPA, and would greatly improve community acceptance and support for MPAs.
- ✓ These minor changes would generate significant goodwill among the community and would improve recreational spearfishing’s support for MPAs and ecosystem-based management.

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*(Continued)*

- ✓ The improved community support will advance public education efforts and improve understanding of the need for effective MPA monitoring and adaptive management.
- ✓ The goodwill promoted by these minor accommodations will help to improve MPA compliance and aid in the efficient use of limited enforcement resources.
- ✓ Finally, the BRTF's adoption of the proposed changes will communicate the effectiveness of good faith participation in the MPA process and the benefits of pursuing cross-interest support among diverse stakeholder groups.

Thank you for your time and efforts throughout this difficult and challenging MPA process.

Sincerely,

Henry (Chip) Bissell